



Danville-Boyle County Planning & Zoning Commission
445 West Main Street P.O. Box 670
Danville, Kentucky 40423

MINUTES OF THE DANVILLE-BOYLE COUNTY
PLANNING & ZONING COMMISSION
REGULAR MEETING – COMMISSIONER’S CHAMBERS
CITY HALL, 445 W. MAIN STREET, DANVILLE, KY 40422
August 24, 2022, 9:00 a.m.

COMMISSIONERS PRESENT:

Jeffrey Baird, Chair

Jim Boyd, Vice-Chair

Anne Sleet

Steve Griffin

Sam Collier

Terry Manon

Sally Davenport

Tom Ruby

OTHERS PRESENT:

Henry Smith, Attorney

Lisa Bowman, Administrative Assistant II

- 1) **CALL TO ORDER / INVOCATION** - A quorum of commissioners being present, Chair Baird opened this August 24, 2022, regular meeting of the Danville/Boyle Planning and Zoning Commission at 9:00 AM. Commissioner Sleet led the invocation.
- 2) **APPROVAL OF MINUTES** – A motion was made by Commissioner Ruby to approve the minutes of the July 27, 2022, PZC meeting, with suggested corrections. The motion was seconded by Commissioner Griffin and passed by unanimous vote.
- 3) **FINANCIAL REPORT** – Commissioner Boyd made a motion to approve the July 2022 Financial Report as submitted. The motion was seconded by Commissioner Davenport and passed by a vote of 8 to 0.



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4) CONSTRUCTION SURETIES – The construction sureties report for August 2022 was presented. No action was required.

5) SUBDIVISION APPROVALS – The following subdivision applications were presented:

- a. Paul and Patricia Murray have applied for the subdivision of a 12.818-acre tract of land known as 3212 Persimmon Knob Road, Junction City, KY. The property is zoned AG (agricultural).
- b. JGE Properties LLC have applied for the subdivision of a 4.21-acre tract of land known as 0 Baughman Ave., Danville, KY. The property is zoned R1C (single family residential).
- c. William J Carey has applied for the subdivision of a 10.045-acre tract of land known as 3571 Webster Road, Danville, KY. The property is zoned AG (agricultural).

A motion to give final approval for Plats #A through #C, with required corrections if any, was made by Commissioner Collier and seconded by Commissioner Griffin. The motion passed by vote of 8 to 0.

- d. Joanne Bottoms and The City of Perryville have applied for the subdivision of a 0.244-acre tract of land known as 314 E. 3rd Street, Perryville, KY. The property is zoned R1A (single family residential).

A motion to approve both preliminary and final approval of the Joanne Bottoms Plat was made by Commissioner Manon and seconded by Commissioner Sleet. The motion passed by an 8 to 0 vote.

6) PUBLIC HEARINGS:

- a. Joedy Sharpe Construction, LLC., has filed for a Zoning Map Amendment on a tract of land containing 37.424 acres located at 0 St James Drive, Danville. The requested Zone Change is from R1-A (single family residential) to R1-C (single family residential).
 - i) Mr. Sharpe, a resident of 385 Spears Lane, Danville, took the podium and presented his application for a zoning map amendment by making the following points:
 - (1) The request to rezone The Estates of St James (37+ acres) from R1A to R1C is for economic reasons – with costs increasing on building materials, fuel, labor, and the additional cost of streets and sidewalks per newest standard requirements, smaller lots are more reasonably marketable. Lots currently required by zoning to be 70' frontage and 10,000 square foot minimum could be rezoned to be 50' frontage and a minimum of 8,000 square foot – creating some 140-145 lots rather than the current 105 lot estimate.
 - (2) The development proposed development would be all single family detached homes. No Manufactured homes or zero lot line homes.
 - (3) There would be a maximum of five (5) lots per acre.
 - (4) All lots would access Danville City water and sewer.
 - (5) All streets and sidewalks will be built to current standards.
 - (6) Each unit will have a minimum of two (2) parking spaces.
 - (7) The request conforms to the FLUM and will continue to conform with the FLUM.
 - (8) The request is in agreement with the Comprehensive Plan.
 - (9) The requested Zoning Map Amendment will continue low density housing with 5 lots per acre max.



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- (10) The request would be consistent with the neighborhood and compatible with existing development.
- ii) Mr. Sharpe then requested a waiver of the Traffic Impact Study Requirement, stating that such a study had been done in approximately 1999, when the property in question had been initially divided and zoned for development, and he felt the results of that study remained valid.
 - iii) Commissioner Collier asked Mr. Sharpe if he intended to disturb the tree line where the property borders Candlewood, since topography is such that the mature trees make a valuable screening. Mr. Sharpe answered that he has no intent to disturb mature trees in the tree line and a condition stating such was 'perfectly acceptable.'
 - iv) Commissioner Davenport and Counsel Smith asked the applicant about street plans, per the Comp Plan streets map. Mr. Sharpe replied there will be a through street from St. James to Candlewood, at Vail, and there will be two access points – St. James and Heartland.
 - v) The applicant left the podium, and the Chair opened the floor to public comment.
 - vi) Mike Cline, a resident of 491 Candlewood, took the podium and expressed that he was not necessarily against the zone change or development but wished to take this time to make the developer, the City, and the Commission aware of current flooding issues within the existing Candlewood Development.
 - vii) Commissioner Collier stated the preservation of the tree line would likely help prevent worse flooding in the future.
 - viii) Commissioner Griffin asked how the Commission might help ensure new development wouldn't make the neighborhood's flooding issues worse.
 - ix) Counsel Smith answered Commissioner Griffin that drainage issues would be reviewed a future stage of planning and would be addressed by both the applicant's engineers as well as Danville's City Engineer.
 - x) No one wishing to speak further, the Chair closed the floor to public comment and asked discussion and action from his Commission.

Commissioner Griffin made a motion to Approve this Zoning Map Amendment based on its compliance with the FLUM and Comprehensive Plan Goals and Objectives and Subject to Developer's Conditions. Counsel asked Commissioner Griffin if he wished to include the waiver of the Traffic Impact Study Requirement. Commissioner Griffin stated he did not wish to waive the Traffic Impact Study Requirement. Commissioner Davenport seconded Commissioner Griffin's motion, confirming that the motion did not include the waiver of the Traffic Impact Study.

- xi) Commissioner Collier addressed the Commission and Applicant stating that he wished to discuss the details of the old Traffic Impact Study, done circa 1999.
- xii) Mr. Sharpe offered that the original study was based on an estimate of 105 lots/homes
- xiii) Commissioner Collier expressed his thoughts that an addition of approximately 40 homes would not make any substantial difference in the study results, to which Commissioner Ruby concurred and stated his belief that the 1999 study is sufficient.

Commissioner Griffin, concurring, restated his former motion, to wit:

I move to recommend approval of this zone map amendment.

- o It complies and conforms with our Comprehensive Plan:



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- The proposed development conforms with the Future Land Use Map's designation of Low-Density Residential
 - It also meets the following Goals and Objectives:
 - Assure the best possible utilization of land by promoting planned development and uses by utilizing the Future Land Use Map (FLUM) to guide land uses and development proposals.
 - Protect residents of the agricultural areas from urban sprawl by encouraging growth into areas currently served by public utilities or where public expansion of services is planned.
 - Make efficient use of existing utility systems by promoting restoration, redevelopment and infill development and discouraging strip development.
 - The zone change is subject to the following developer conditions:
 - One single-family dwelling per lot
 - The maximum number of lots per acre shall be 5
 - The developer shall connect to City Water and Sewer
 - The developer shall construct public city streets and sidewalks
 - The developer shall provide two parking spaces per home
 - The developer also agreed to prohibitions on:
 - Manufactured homes and
 - Zero-lot line construction
 - We grant the developer's request to waive the Comprehensive Plan and Zoning Ordinance requirement to provide a Traffic Impact Study, after discussion and consideration of the 1999 encroachment permit

Vice-Chair Boyd seconded, and the motion passed by full vote of the Commission.

7) NEW BUSINESS

- a. Advisory Committee Report - none
- b. Budget Committee Report – Commissioner Manon reminded the Commission the Budget Committee will soon be meeting with the Auditor to review the audit.
- c. Personnel Committee Report –

Vice-Chair Boyd made a motion to enter into Executive Session to discuss Personnel matters. His motion was seconded by Commissioner Davenport and passed by a vote of 8 to 0.

A motion to re-enter Regular Session was made by Commissioner Griffin and seconded by Commissioner Sleet. The motion then passed by an 8 to 0 vote.

No action having been taken during Executive Session, Counsel now enters into the record the following Clarification of Duties, to wit:

- The Interim Director position is hereby clarified.
- The interim director renders administrative assistance, as needed, and has presented the actions of the full Planning Commission to the City Commission.



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- Lisa Bowman is also hereby authorized to make such presentations.
 - The interim director has not and shall not:
 - 1) participated in review of applications.
 - 2) acted as the first line of communication for new applicants.
 - 3) denied permits; or
 - 4) exercised the powers set out in KRS 100.271, namely approving, or denying building permits or certificates of occupancy or administering the zoning ordinance.

Commissioner Ruby made a motion to approve the Clarification of Duties as presented by Counsel.
Commissioner Sleet seconded and the motion passed by an 8 to 0 count of the Commission.

- d. Other New Business - none
- e. Announcements - none

7. **ADJOURN** - Commissioner Ruby made a motion to adjourn this August 24, 2022, meeting of the PZC.
The motion was seconded by Commissioner Griffin and passed by unanimous vote.

Drafted By,

LISA G. BOWMAN, ADMINISTRATIVE ASST. II

Signed this 28th day of September 2022, by

Jeffrey Baird, Planning and Zoning Commission Chair.